

**UNITED STATES DISTRICT COURT
For The
WESTERN DISTRICT OF PENNSYLVANIA**

FILED
2010 AUG 30 PM 2: 11
U.S. DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

U.S.A. vs. Emil James Henning, Jr.

Docket No. 06-00038-001

Second Supplemental Petition on Supervised Release

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Emil J. Henning, Jr., who was placed on supervision by the Honorable Gary L. Lancaster sitting in the Court at Pittsburgh, on the 30th day of November 2007, who on December 22, 2007, fixed the period of supervision at three years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- Shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- Shall not unlawfully possess a controlled substance and shall refrain from any unlawful use of a controlled substance.
- Shall submit to urinalysis as directed by the probation officer and shall participate in a substance abuse treatment program, if deemed necessary.
- Shall participate in a mental health evaluation and treatment program, if necessary, as directed by the probation officer.
- Shall cooperate in collection of DNA, as directed by the probation officer.

11-30-07: Possession With Intent to Distribute and Distribution of 5 Grams or More of Cocaine Base; 37 months' imprisonment, followed by 5 years' supervised release.

12-22-07: Sentence modified to 3 years' supervised release.

06-27-08: Released to supervision; Currently supervised by U.S. Probation Officer Andrew A. Waszyn

05-18-10: Warrant issued for supervised release violations (as approved on May 15, 2010).

05-24-10: Offender surrendered self to U.S. Marshal's Office; Initial appearance on supervised release violations; Offender released on unsecured bond with conditions; Supervised release show cause hearing scheduled for June 14, 2010.

06-09-10: Supplemental Petition on Supervised Release filed

06-14-10: Supplemental Petition made part of the record; Show cause hearing postponed and rescheduled for September 17, 2010.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:

Your petitioner reports that the offender has violated the following terms of his supervision.

Failure to obey all laws/ Failure to notify probation officer of law enforcement contact.

On June 11, 2010, the offender was charged by Pennsylvania State Police with Receiving Stolen Property and Theft of Leased Property. These charges are pending and are scheduled for a preliminary hearing on November 1, 2010. It is noted that the offender was questioned by police approximately two weeks prior to the filing of these charges.

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On August 11, 2010, state police were called to the Indiana County Jail for a report of an intoxicated individual. Police questioned the offender and determined that the offender was not intoxicated.

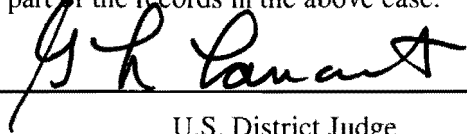
On August 12, 2010, the offender was charged by Indiana police with Witness or Informant Taking Bribe and Intimidation of Witness. A preliminary hearing has been scheduled for September 16, 2010. The offender was arraigned on these charges on August 12, 2010, and was also processed by police that date.

The offender has failed to report any of the afore-noted contact with law enforcement, as required.

PRAYING THAT THE COURT WILL ORDER that the above-cited alleged violations of supervision be incorporated as part of the Petition Action previously made a part of the records in this case on May 15, 2010, and June 14, 2010.

ORDER OF COURT

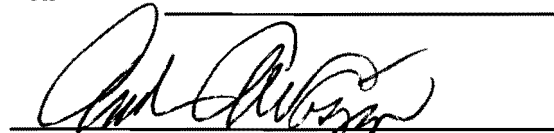
Considered and ordered this 1st day of
Sept, 20 10 and ordered filed and made
a part of the records in the above case.



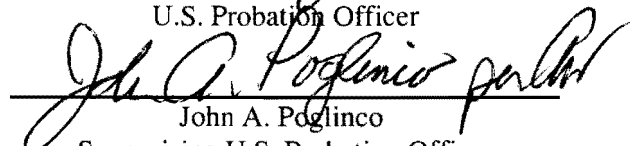
U.S. District Judge

I declare under penalty of perjury that the
foregoing is true and correct.

Executed
on August 26, 2010



Andrew A. Waszyn
U.S. Probation Officer



John A. Poglinco
Supervising U.S. Probation Officer

Place: Johnstown, PA